

**KENTUCKY COMMISSION
ON
SERVICES AND SUPPORTS
FOR INDIVIDUALS WITH INTELLECTUAL
AND OTHER DEVELOPMENTAL DISABILITIES**

**September 3, 2015
Legislative Research Commission
Capitol Annex
Frankfort, Kentucky**

MEMBERS PRESENT:

Commissioner Mary Begley
Tabitha Burkhart-Wilson
Leslie Hoffmann for Commissioner Lee
Senator Julie R. Adams
Mary Lee Underwood
Peter A. Perry
Kathy Sheppard-Jones
Donald Putnam
Lynn Braker

Christopher George
Brandon Griffith
James Chesser
Brenda Hosford
Patty Dempsey
Andrew Venetianer
Representative Joni Jenkins
Julie Sweets

MEMBERS ABSENT:

Deputy Secretary Eric Friedlander
Representative David Watkins
Missy McKiernan
Gayle DiCesare

Buddy Hoskinson
Senator Tom Buford
Cathy Edwards
Melissa David

WELCOME

Commissioner Begley opened the meeting and welcomed new and returning members and guests.

REVIEW OF THE MINUTES

Minutes from the June 4, 2015 meeting were approved as presented.

COMMITTEE REPORTS

Community Integration

Mary Lee Underwood

- Have met twice since the last Commission meeting
- Have partnered with the committee on Participant Directed Services (PDS)
- Presented recommendations for the Michelle P Waiver that had been prepared for the March Commission meeting, which was cancelled due to inclement weather
 1. Strategies for how operations can be improved
 2. Requested that these recommendations be reviewed, formal action taken, and a written response be received from the Cabinet before the next Commission meeting

- Response by Leslie Hoffman re: changes that have already taken effect within the Michelle P waiver
 1. Denial letter has been revised to include the reason for the denial
 2. A sister-agency resource letter is accompanying the denial letter
 3. An interagency committee is working on an assessment tool for children
 4. Timeline for this tool may be the next waiver period: July – September 2016
- The committee is down to 3 members, need more participants
- CHFS will send an email to Commission members to inquire about their interest in serving on committees

Health and Wellness

Kathy Sheppard-Jones

- Committee has not met, are putting dates together and will be appointing a new chair due to the retirement of Dr. Kleinert

Participant Directed Services

Patty Dempsey & Mary Lee Underwood

- Most information was presented with the Integration Committee report as they have met together the last two times
- Need new members
- Looking at potential solutions to defer pre-employment costs
- Ongoing issue with payroll being processed timely; are losing staff because of lateness of pay
- Recommendations were presented and include:
 1. Change the language regulating waivers to allow for flexibility in paying for pre-employment and ongoing employment costs
 2. Reallocate existing funds to fund employment-related costs
 3. Reduce employment-related costs
 4. KY Medicaid request technical assistance and implement suggestions from CMS re: how to develop new infrastructure where participants are not responsible for employment-related costs
 5. Use funding set aside for Natural Supports training to use for employment-related expenses
- In a separate report, Committee members request that the legislature appropriate a 20% increase in funding for FY's 2017 and 2018 to address the SCL and MPW waiver waiting lists
- Requested that recommendations be reviewed by the Cabinet with a written response by the next Commission meeting
- Commissioner Anderson commented on the efficacy of recommendations and shared how they will be considered
- Her group is working with various community partners in an attempt to lower some of the PDS employment-related costs and reported that the Department for Aging and Independent Living (DAIL) is hiring nurses to conduct TB screenings. If the screening indicates the need for a TB test, Medicare, Medicaid and most private insurances will cover the test.

PRESENTATIONS

CUSTOMIZED EMPLOYMENT

- This is the 25th anniversary of the Americans with Disabilities Act (ADA). To get involved go to <http://adaanniversary.org/>
- Kathy Sheppard-Jones introduced a video on Customized Employment produced by the Human Development Institute (HDI) at the University of Kentucky
- Katie Wolf-Whaley presented SCL and other data re: Supported Employment and what consumers want
- Though 42% of those consumers asked stated that they would like a job, only 13% have employment on their Plan of Care (POC). Since the start of SCL-2, the number of participants who state they want a job has increased to 50% which may be related to the increased emphasis on educating participants on employment opportunities.
- Tim Moore, an employee of the Commonwealth's Council on Developmental Disabilities, spoke about the positive impact employment has had on his life
- Melanie Tyner Wilson, parent, spoke about the importance of Customized Employment and the difference it has made in her son's life.

Oakwood Specialty Clinic

Don Putnam

- Provides core services for medical and psychiatric care on an outpatient basis
- The physical clinic is being expanded
- One phone call to one number can schedule any and all appointments
- The other outpatient clinics in the state are the Lee Specialty Clinic which is located near Bingham Gardens ICF/IID and the Hazelwood Clinic located at Hazelwood ICF/IID

Final Rule Update

Leslie Hoffmann and Lynne Flynn

- Power Point presentation included information on:
 1. The statewide transition plan
 2. Compliance plan templates
 3. Waiver renewal updates and timelines
 4. OT, PT, and Speech therapies availability, coverage and reimbursement rate
- Commission members requested to receive the language from CMS requiring the changes to therapy services that were discussed.

ANNUAL REPORT

- This will be emailed to Commission members in late September

PUBLIC COMMENTS

- Commissioner Begley opened the meeting to receive public comments
- Testimony received from:
 1. Vickie Roark – family member/caregiver re: the 16-hour cap on receiving home-based services with the waiver and how this is not enough for some consumers
 2. Kelly Upchurch – President of KY Association of Adult Day Centers re: consumers having to wait 6+ months to receive services and requesting that the amended regulation be

filed as an emergency so that people will not have continued delay in accessing needed services.

- Comments from Commission members Chris George and Brandon Griffith supported the statements from Ms. Roark and addressed how the Shared Living service is not a viable option for \$600 a month.

Meeting was adjourned at 3:15 pm.